

SECOND REGULAR SESSION

# SENATE BILL NO. 787

94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SCOTT.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3346S.011

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## AN ACT

To amend chapter 320, RSMo, by adding thereto one new section relating to emergency drought conditions, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 320, RSMo, is amended by adding thereto one new  
2 section, to be known as section 320.350, to read as follows:

**320.350. 1. It is unlawful for any person to set fire to any forest,  
2 grass, cropland, woodlands, wild lands, or marshes, or to build a  
3 campfire or bonfire, or to burn trash or other material that may cause  
4 a forest, grass, cropland, or woodlands fire in any county, counties, or  
5 area within a county where because of emergency drought conditions,  
6 an executive order issued by the governor has proclaimed the area in  
7 extraordinary danger from fire.**

8 **2. The directors of the department of public safety and  
9 department of conservation, upon notification from the state fire  
10 marshal and state forester that emergency drought conditions exist,  
11 shall advise the governor when the lands described in subsection 1 of  
12 this section in any county, counties, or area within a county of this  
13 state are in extraordinary danger from fire. The governor may by  
14 executive order declare a drought emergency to exist and describe the  
15 general boundaries of the area affected and where burning is  
16 prohibited.**

17 **3. The executive order may be amended or rescinded to adapt  
18 the burning prohibition to any changes in emergency drought  
19 conditions, as determined by the state fire marshal and state forester,  
20 in the affected areas or other areas in the state.**

21 **4. Any person who violates this section is guilty of a class A**

22 **misdemeanor.**

23           **5. In a separate cause of action in circuit court, political**  
24 **subdivisions and volunteer fire protection associations, as defined in**  
25 **section 320.300, may seek to recover from individuals violating**  
26 **subsection 1 of this section those reasonable costs incurred in**  
27 **responding to a fire caused by the individuals violating this section.**

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